

**AGENDA**  
**CITY OF ATLANTA BOARD OF ZONING ADJUSTMENT**  
**Thursday, September 3, 2009 at 12:00 P.M.**  
**ATLANTA CITY HALL COUNCIL CHAMBER, SECOND FLOOR**  
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**APPEALS**

- V-09-67** Appeal by **Jan Barnes** of an administrative officer of the Bureau of Code Enforcement for the issuance of a corrective notice. Property is located at **1000 Chattahoochee Avenue, N.W.**, fronting 1,372 feet on the west side of Chattahoochee Avenue and beginning approximately 1,146.3 feet east of the southeast intersection of Chattahoochee Avenue and Ellsworth Industrial Boulevard. Zoned I-2 (Industrial) District. Land Lot 187 of the 17<sup>th</sup> District, Fulton County, Georgia.  
**Owner: CSX Transportation, Inc.**  
**Council District 9, NPU-D**
- V-09-69** Appeal of **John Jamont** for a decision of an administrative officer of the Bureau of Buildings for the denial of an address. Property is located at **330 – 332 Fletcher Street, S.W. (a.k.a 1074 Garibaldi Street, S.W.)**, fronting 100 feet on the south side of Fletcher Street and beginning at the southeast intersection of Fletcher Street and Garibaldi Street. Zoned R-4B (Residential) District. Land Lot 87 of the 14<sup>th</sup> District, Fulton County, Georgia.  
**Owner: Aria Properties, LLC**  
**Council District 4, NPU-V**

**NEW CASES**

- V-09-98** Application of **John O’Connell** for a special exception from zoning regulations to reduce the off street parking requirement from 78 spaces (required) to 59 spaces (0.75 per unit) to erect a new multifamily building for seniors. Property is located at **810 Marcus Street, S.E.**, fronting 200 feet on the north side of Marcus Street and beginning approximately 150 feet east of the northeast intersection of Marcus Street and Pearl Street. Zoned MR-4A/BeltLine Overlay District (to be used for commercial purposes). Land Lot 20 of the 14<sup>th</sup> District, Fulton County, Georgia.  
**Owner: Resources for Residents & Communities**  
**Council District 5, NPU-N**
- V-09-99** Application of **Marlin McAfee** for a special exception from zoning regulations to erect a privacy wall in the required rear yard setback at a height of 7 feet 6 inches where the maximum height is 6 feet. Property is located at **943 Katherwood Drive, S.W.**, fronting 50 feet on the north side of Katherwood Drive and beginning approximately 250 feet west of the northwest intersection of Katherwood Drive and Sylvan Road. Zoned R-4 (Residential) District. Land Lot 121 of the 14<sup>th</sup> District, Fulton County, Georgia.  
**Owner: Monica Lewis**  
**Council District 12, NPU-X**

- V-09-111** Application of **Luciano Ramirez** for a variance from zoning regulations to reduce the north side yard setback from 7 ft. (required) to 2 feet to allow the addition of a carport to a single family residence. Property is located at **882 Teton Avenue, S.E.**, fronting 70 feet on the east side of Teton Avenue and beginning approximately 653.7 feet south of the northeast intersection of Teton Avenue and Avondale Avenue. Zoned R-4/BeltLine Overlay (Residential) District). Land Lot 24 of the 14<sup>th</sup> District, Fulton County, Georgia.  
**Owner: Luciano Ramirez**  
**Council District 1, NPU-W**
- V-09-114** Application of **Steven Jensen and James Rhodes** for a special exception from zoning regulations to allow for an addition to a legal non-conforming duplex. The applicant also seeks a variance to reduce the east side yard setback from 7 ft. (required) to 0 ft to allow for a second story shed dormer addition to a legal non-conforming duplex. Property is located at **669 Yorkshire Road, N.E.**, fronting 55 feet on the south side of Yorkshire Road and beginning approximately 645 feet east of the southeast intersection of Yorkshire Road and Monroe Drive. Zoned R-4 (Residential) District. Land Lot 52 of the 17<sup>th</sup> District, Fulton County, Georgia.  
**Owner: Steven Jensen and James Rhodes**  
**Council District 6, NPU-F**
- V-09-115** Application of **Kent Lingergelt** for a variance from zoning regulations to reduce the west side yard setback from 7 ft. (required) to 6 ft. 8 inches and reduce the east side yard setback from 7 feet (required) to 0 feet to allow for the rebuild of a covered front porch and the construction of a carport to an existing single family dwelling. Property is located at **690 Virginia Avenue, N.E.**, fronting 50 feet on the north side of Virginia Avenue and beginning approximately 321 feet west of the northwest intersection of Virginia Avenue and Ponce De Leon Place. Zoned R-4/BeltLine Overlay (Residential) District. Land Lot 53 of the 17<sup>th</sup> District, Fulton County, Georgia.  
**Owner: Kent Lingergelt**  
**Council District 6, NPU-F**
- V-09-116** Application of **Jim Garcia** for a variance from zoning regulations to reduce the side yard setback from 25 feet (required) to 12 feet to allow for the installation of HVAC equipment where otherwise prohibited. Property is located at **1312 Swims Valley Drive, N.W.**, fronting 150 feet on the south side of Swims valley Drive and beginning approximately 1,365.7 feet west of the southwest intersection of Swims Valley Drive and Garmon Road. Zoned R-1 (Residential) District. Land Lot 201 of the 17<sup>th</sup> District, Fulton County, Georgia.  
**Owner: Tony White**  
**Council District 8, NPU-A**

**V-09-117** Application of **Clinton Tomasino** for a variance from zoning regulations to: (1) reduce the east side and rear yard setback from 7 feet (required) to 1.5 feet for the construction of a detached residential accessory structure (garage); (2) reduce the west side yard setback from 7 feet (required) to 3 feet to allow for an addition to an existing single family house; (3) to allow the rear yard coverage to exceed 25% to 32% and; (4) to allow a detached accessory structure to exceed 30% of the floor area of the main house to 56%. Property is located at **1130 Hardee Street, N.E.**, fronting 51 feet on the north side of 1130 Hardee Street and beginning approximately 101.5 feet east of the northeast intersection of Hardee Street and Kensington Avenue. Zoned R-5/BeltLine Overlay (Residential) District. Land Lot 14 of the 14<sup>th</sup> District, Fulton County, Georgia.

**Owner: Clinton Tomasino**

**Council District 5, NPU-N**

**V-09-118** Application of **David Ogram** for a variance from zoning regulations to: (1) reduce the front yard setback from 35 feet (required) to 20 feet; (2) reduce the west side yard setback from 7 feet (required) to 2 feet 2 inches and; (3) reduce the east side yard setback from 7 feet (required) to 6 feet 9 inches to make an addition to a single family residence. Property is located at **2349 Hurst Drive, N.E.**, fronting 60 feet on the north side of Hurst Drive and beginning approximately 459 feet southeast of the southeast intersection of Hurst Drive and Eureka Drive. Zoned R-4 (Residential) District. Land Lot 102 of the 17<sup>th</sup> District, Fulton County, Georgia.

**Owner: Lauren Johnson**

**Council District 7, NPU-B**

**V-09-119** Application of **Kerri Mullikin** for a variance from zoning regulations to reduce the south side yard setback from 7 ft. (required) to 3.7 ft. and the north side yard setback from 7 feet (required) to 3.2 feet to make an addition to a single family house. Property is located at **347 Josephine Street, N.E.**, fronting 40 feet on the north side of Josephine Street and beginning approximately 350 feet east of the northeast intersection of Josephine Street and McLendon Avenue. Zoned R-5 (Residential) District. Land Lot 209 of the 15<sup>th</sup> District, DeKalb County, Georgia.

**Owner: Kerri O'Connor**

**Council District 6 NPU-N**

## **DEFERRED CASES**

**V-09-55** Application of **Tressa Turner** for a variance from zoning regulations to reduce the front yard setback from 30 ft. (required) to 24 ft. and reduce the north side yard setback from 7 ft. (required) to 3.5 ft. to allow for an addition to an existing single family residence. Property is located at **279 Rockyford Road, N.E.**, fronting 50 feet on the east side of Rockyford Road and beginning 203 feet south of the southeast intersection of Rockyford Road and Wisteria Way. Zoned R-4A (Residential) District. Land Lot 121 of the 15<sup>th</sup> District, DeKalb County, Georgia.

**Owner: Tressa Turner**

**Council District 5 NPU-O**

**V-09-105**

Application of **Stephen Kisgen** for a variance from zoning regulations to: (1) reduce the side yard setback from 7 ft (required) to 1 foot; (2) reduce the rear yard setback from 15 feet (required) to 7 feet and; (3) increase the maximum lot coverage from 50% to 58% to allow for the construction of a detached residential accessory structure. Property is located at **1015 North Virginia Avenue, N.E.**, fronting 60 feet on the east side of North Virginia Avenue and beginning approximately 68 feet north of the northwest intersection of North Virginia Avenue and Virginia Avenue. Zoned R-4 (Residential) District). Land Lot 1 of the 17<sup>th</sup> District, Fulton County, Georgia.

**Owner: Valerie Surasky**  
**Council District 6, NPU-F**

**V-09-107**

Application of **Phillip and Lauren Ellen** for a variance from zoning regulations to: (1) reduce the front yard setback from 35 ft (required) to 29 feet for a second story addition; 2) reduce the west side yard setback from 6 feet (required) per V-04-51 which includes a conditional site plan to 1.5 feet to rebuild and make additions to an existing garage. The applicant also seeks a variance to reduce the east side yard setback from 6 feet per V-04-51 to 4 feet to make an addition to a single family residence. Property is located at **745 Ponce De Leon Terrace, N.E.**, fronting 50 feet on the south side of Ponce De Leon Terrace and beginning approximately 200 feet east of the southeast intersection of Ponce De Leon Terrace and Ponce De Leon Place. Zoned R-4 (Residential) District). Land Lot 14 of the 17<sup>th</sup> District, Fulton County, Georgia.

**Owner: Phillip and Lauren Ellen**  
**Council District 6, NPU-F**